

प्राधिकार से प्रकाशित PUBLISHED BY AUTHORITY

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नई विल्ली, शमिवार, श्रत्रेल 2, 1966/चंत्र 12, 1888

No 14] NEW DELHI, SATURDAY, APRIL 2, 1966/CHAITRA 12, 1888

इस भाग में भिन्म पृष्ठ संस्था दी जाती है जिससे कि घह अलग संकलन के रूप में रखा जा सके। Separate paging is given to this Part in order that it may be filed as a separate compilation

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NOTICE

नीचे लिखे भारत के श्रमाधारण राजपत्र 21 मार्च, 1966 तक प्रकाशित किए गये।

The undermentioned Gazettes of India Extraordinary were published up to the 21st March, 1966; —

Issue No.	No. and Date	Issued by	Subject				
65	S.O. 858, dated 15th March, 1966.	Ministry of Law .	Declaration that Shri Jagannath pra- sad, 123, North Avenue, New Delhi has been duly elected by the elected members of the Rajasthan Legislative Assembly in the coun- cil of States.				
66	S.O. 859, dated 17th February, 1966.	Delimitation Com- mission.	Corrigendum to S.O. 494, dated 14th February, 1966.				
67	S.O. 860, dated 18th March, 1966.	Ministry of Informa- tion and Broadcast- ing.	Approval of the films as specified therein.				
68	S.O. 861, dated 21st? March, 1966.	Ministry of Mines and Metals.	Regarding lands measuring 528.00 acres (approximately) or 213.84 hectares (approximately) described in Schedule 'A' appended therein, etc.				

No. and Date

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To notify that rubber hot water bottles (bags) shall be subject to inspection prior to export.

जपर लिखे असाधारण राजपत्रों की प्रीतयां प्रकाशन प्रबन्धक. सिविल लाइन्स, दिल्ली के माम मांगपत्र भंजने पर भेज दी जाएंगी। गांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की सारीख से 10 दिन के भीतर पहुंच जाने चाहिएं।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

भाग II — जण्ड 3—उपलण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केशय प्राधिकरणों द्वारा जारी किए गए विधिक आदेश और अधिसूचनाएं।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 23rd March 1966

S.O. 983.—In pursuance of clause (b) of sub-section (6) of section 116A of the Representation of the People Act, 1951, the Election Commission hereby publishes the decision of the High Court of Judicature at Patna given on the 5rd March, 1966, on an appeal from the order dated the 31st May, 1965, of the Election Tribunal, Patna.

ELECTION APPEAL No. 3 of 1965

From a decision of Mr. C. P. Sinha, Member, Election Tribunal, Patna, dated the 31st May, 1965.

Rajendra Prasad Jain.—Appellant.

Versus

Sheel Bhadra Yajee and others.-Respondents.

For the appellant.—Messrs. Nageshwar Prasad, J. C. Sinha, Nagendra Kumar Roy and Dip Narain Lal.

For the respondents.—Messrs, Kanhaiya Prasad Verma, Kamla Kant Prasad and Jugeshwar Prasad Singh.

PRESENT:

The Hon'ble Mr. Justice U. N. Sinha

The 3rd March, 1966.

U. N. Sinha, J.—This appeal has been placed before me under Clause 28 of the Letters Patent of this Court, for hearing upon the points of difference between two learned Judges of this Court, namely, Mahapatra and Ramratna Singh, JJ. By

their judgements dated the 23rd December, 1965, they have differed on two points, which have been mentioned in the ordersheet thus:—

- "The difference that has arisen between us, according to the judgment delivered now, is about the reliability or/and sufficiency of the evidence on the record in regard to the allegation of the offer of bribe by the appellant to Shri Shah Mustaque Ahmad and Sri Ram Narain Choudhary."
- 2. The appellant, Shri Rajendra Prasad Jain, was elected to the Parliament (Rajya Sabha) from the constituency of the Bihar Legislative Assembly, in 1964, against which election a petition was presented before the Election Commission by one of the unsuccessful candidates, Sri Sheel Bhadra Yajee, who is respondent No. 1 in this appeal, Sri Yajee had asked for the election of Sri Jain to be declared void, and Sri Yajee had also asked for a declaration to the effect that he had been duly elected, Sri Jain had filed a recriminatory petition against Sri Yajee. Both the petitions were heard together by the Election Tribunal, and by judgment and order dated the 31st May, 1965, it was held that come of the corrupt practices alleged against Sri Jain had been proved. With respect to the recriminatory petition, none of the allegations were held to have been established. In the result, the election of Sri Jain was declared to be void; but the Tribunal refused to declare Sri Yajee to have been duly elected.
- 3. The appeal filed in this Court by Sri Jain under section 116A of the Representation of the People Act. 1951 (Act XLIII of 1951) was placed for hearing before a Division Bench of this Court consisting of Mahapatra and Ramratna Singh, JJ., and all the points decided against the appellant were contested and the learned Judges have decided these points by two separate judgments. As indicated above, the learned Judges have differed on two points, mentioned in their order.
- 4. Two preliminary objections have been taken by Sri Kanhaiya Prasad Verma, appearing for Sri Yajee. The first is to the effect that Clause 28 of the Letters Patent of this Court does not apply to this appeal fi'ed under the Representation of the People Act, 1951, and, therefore, section 98 of the Code of Civil Procedure applies. It is argued that if Clause 28 does not apply, then, the judgment and order of the Tribunal must be affirmed under section 98(2) of the Code of Civil Procedure, as the learned Judges have not differed in their opinion on a point of law. The effect of section 98(3) of the Code of Civil Procedure is met by the learned counsel on the words of Clause 28 of the Letters Patent, which clause runs thus:—
 - "And we do hereby declare that any function which is hereby directed to be performed by the High Court of Judicature at Patna, in the exercise of its original or appellate jurisdiction, may be performed by any Judge, or by any Division Court, thereof, appointed or constituted for such purpose in pursuance of section one hundred and eight of the Government of India Act, 1915; and if such Division Court is composed of two or more Judges and the Judges are divided in opinion as to the decision to be given on any point, such point, shall be decided according to the opinion of the majority of the Judges, if there be a majority, but, if the Judges be equally divided, they shall state the point upon which they differ and the case shall then be heard upon that point by one or more of the other Judges and the point shall be decided according to the opinion of the majority of the Judges who have heard the case including those who first heard it."

It is argued by learned counsel that Clause 28 applies to the appellate jursdiction of this Court, directed to be performed by the Letters Patent and not by any other Act such as the Representation of the People Act, 1951 (Act XLIII of 1951). It is urged that this appeal is not being heard in the appellate jurisdiction directed to be performed by the Letters Patent of this Court and, therefore, Clause 28 does not apply. Having heard learned counsel for the parties. I am of the opinion that this contention advanced by Sri Verma must fail. The decision of their Lordships of the Supreme Court, in the case of South Asia Industries (P.) Ltd., v. S. P. Sarup Singh and others reported in A.I.R. 1965 Supreme Court 1442, competely answers. The submissions made by Sri Verma. South Asia Industry's case dealt with Clause 11 of the Letters Patent of the Punjab High Court, which reads thus:—

"And we do further ordain that the High Court of Judicature at Lahore shall be a Court of Appeal from the Civil Courts of the Province of the Punjab and Delhi and from all other Courts subject to its superintendence, and shall exercise appellate jurisdiction in such cases as were, immediately before the date of the publication of these presents subject to appeal to the Chief Court of the Punjab by virtue of

any law then in force or as may after that date be declared subject to appeal to the High Court of Judicature at Lahore by any law made by competent Legislative authority for India.

Clause 11 of the Letters Patent of this Court is identical in effect and it reads thus:—

"And we do further ordain that the High Court of Judicature at Patna shall be a Court of Appeal from the Civil Courts of the Province of Bihar and Orissa and from all other Courts subject to its superintendence, and shall exercise appellate juriodiction in such cases as were, immediately before the date of the publication of these presents, subject to appeal to the High Court of Judicature at Fort William in Bengal by virtue of any law then in force, or as may after that date be declared subject to appeal to the High Court of Judicature at Patna by any law made by competent legislative authority for India."

The crucial words to which reference was made by the Supreme Court were "or as may after that date be declared subject to appeal to the High Court of Judicature at Lahore by any law made by competent legislative authority for India", appearing in Clause 11 of the Letters Patent of the Punjab High Court. These words are in effect the same in Clause 11 of the Letter Patent of this Court. In South Asia Industry's case, the Supreme Court stated that the second part of Clause 11 of the Letters Patent given to the Punjab High Court does not make a distinction between appellate jurisdiction over Courts and that over Tribunals which are not Courts. Therefore, in my opinion, if a law made by a competent legislative authority declares an order of a Tribunal to be appealable to this Court, this Court must entertain the same and dispose of it according to law, and there is no reason for excluding Clause 28 of the Letters Patent of this Court, if there be any difference of opinion on facts between two learned Judges, who have originally heard the appeal. Morcover, under section 116A(2) of the Representation of the People Act, 1951, the procedure to be followed in this Court should be as if the appeal were one from an original decree passed by a Civil Court. Sri Verma has then argued that under the proviso to section 116A(2) of the Representation of the People Act, an appeal must be heard by a Bench of not less than two Judges, and, therefore, a single Judge of this Court cannot hear it at any stage. This contention is also not valid. According to Clause 28 of the Letters Patent, the points on which difference has arisen, will ultimately be decided according to the opinion of the majority of the Judges, who heard this appeal, including those who first heard it. In the result, all the points which have arisen in this appeal will be decided by two of the Judges of this Court. Therefore, the effect of section 116A(2) will be fulfilled, and the ultimate decision in this appeal will be by two of the Judges of this Court. The prel

5. On the facts, the first point which has been argued is whether Sri Jain had offered bribe to Sri Shah Mustaq Ahmed (P.W. 7), in the afternoon of the 24th March, 1964, inducing him to vote for Sri Jain or not, P.W. 7 was at that time a member of the Bihar Legislative Assembly and he was one of the voters in the election in question and he had voted in the election which took place on the 26th March, 1964. The evidence given by P.W. 7 in this context is that on the 24th March, 1964, between 5 and 6 P.M. one Sri S. R. Dutta, whom this witness knew for about ten years, and another black complexioned man, whose name he did not know [this was supposed to be Sri Vishwanath Prasad Verma (R.W. 10), the election agent of Sri Jain] came to him along with Sri Jain. The witness had seen Sri Jain before that day, though he had no formal acquaintance with him. Sri Dutta introduced Sri Jain to this witness. Thereafter, Sri Dutta said that he had brought Sri Jain so that the witness should cast his first preference vote in Sri Jain's favour. P.W. 7 then informed Sri Dutta that he had come to a wrong place and that he should not say such a thing to him. Then Sri Jain said, "In your elections a lot of money is spent and, therefore, take some money from the and cast your first preference vote in my favour." The witness answered that Sri Jain need not bother about the expenses of his election and that Sri Jain should keep his own money. Then Sri Dutta and Sri Jain started leaving and Sri Jutta tarried for a while and said to P.W. 7 that he may be excused for the trouble given to him, but that he was on'y trying to help the witness. According to P.W. 7, Sri Motiur Rahman Shamim (P.W. 11), the editor of the Urdu Weekly "Roshni" was at his place from before Sri Jain and his party had come. P.W. 7 "Roshni" was at his place from before Sri Jain and his party had come. P.W. 7 "Roshni" was at his place from before Sri Jain and his party had come. P.W. 7 has further stated in his examination-in-Chief that he had told about the incident

about 8 to 10 days after the result of the election had been published which was in the evening of the 26th March, 1964. Sri Yajee had asked this witness about this incident, saying that he had been told about it by Sri Choudhary A. Muhammad. The substance of the evidence given by Sri Motiur Rahman (P.W. 11) is as follows: He was related to Sri Mustaq Ahmad (P.W. 7) and on the 24th March, 1964, he had seen Sri Jain at the place of P.W. 7 between 5 and 6 P.M. Sri Jain was then accompanied by two other persons, of whom he had recognised one Dutta Saheb. At that time this witness was discussing matters regarding his sister's marriage with P.W. 7. Sri Dutta had told P.W. 7 that he would like to talk to him privately. P.W. 7 had then asked this witness to go out on the verandah for sometime. The witness came out of the room on to the adjoining verandah. From there he heard some conversation taking place between P.W. 7 and the persons inside the room. He heard Sri Jain saying to P.W. 7 that in their elections a lot of money is spent and Sri Jain would contribute something and P.W. 7 was asked to vote for Sri Jain. According to P.W. 11, when Sri Jain and his compensions had left, P.W. 7 had told him that these people had come there to purchage his vote, to which P.W. 7 had said that they had come to the wrong place. P.W. 7 had further informed Sri Jain that in no case his vote would be available to Sri Jain. The evidence given by Sri Yajee (P.W. 21) in this context is this: Sri Mustaq Ahmad (P.W. 7) had informed him that he had been approached by Sri Jain to accept money for meeting the expenses that he had incurred is his election, and to cast his first preference vote in Sri Jain's favour in this election. In the month of October or November, 1984, P.W. 7 had also informed Sri Yajee (P.W. 21) that when Sri Jain had come to his place, one Motiur Rahman was also there. Sri Yajee had varified this from Sri Motiur Rahman, who had confirmed that when Sri Jain had approached P.W. 21 with such a proposal, he was also prese

6. If the evidence of the witnesses examined on behalf of Sri Yajee (P.W.21) is believed as true, the denial of R.W. 10 and R.W. 13 will have to be disbelieved, and one of the contentions raised on behalf of the appellant, challenging the whole episode, is based on the fact that the name of Sri Motiur Rahman (P.W. 11) had been given in the second list of witnesses filed on behalf of Sri Yajee on the 18th November, 1964. The first list of witnesses had been filed on the 24th September, 1964, when the names of 24 witnesses to be examined, were given. It is argued that the inclusion of the name of P.W. 11 in the second list was an afterthought, and, therefore, apart from anything else, his testimony is suspect on this ground alone. This point is common to the charge of offering bribe to P.W. 7 and to the next charge of offering bribe to Sri Ram Narain Choudhary (P.W. 2), and, therefore, it deserves careful consideration. The ordersheet of the Tribunal indicates that the issues were settled on the 17th September, 1964, and the case was adjourned to the 24th September, for fixing a date of hearing. Parties were directed to file their list of witnesses and to take steps to ca'l for their documents in the meantime. On the 24th September a petition was filed on behalf of Sri Yajee (P.W. 21), praying that certain witnesses may be summoned. The list of witnesses submitted on that day included the name of P.W. 7, but not that of P.W. 11. Order was passed for summoning the witnesses and the 16th November was fixed for hearing of the case. In the meantime, on the 1st October, a petition was filed on behalf of Sri Yajee (P.W. 21), praying for amendment of schedules 1 and 2 of the election petition. When the case was taken up on the 16th November, the amendment petition was put up for orders and the case was adjourned to the 18th November for filing rejoinder by Sri Jain (R.W. 13) and for hearing of the amendment petition. A rejoinder was filed by Sri Jain on the 18th November, and on hearing counsel for the parties, the amendments prayed for on behalf of Sri Yaice (P.W. 21) were allowed. It appears that on the same day, namely, the 18th November a petition was filed on behalf of Sri Yaiee (P.W. 21) with a fresh list of witnesses, praying that they may also be summoned. Dasti cover, as prayed for, was ordered to be issued on the same day. In this second list the name of P.W. 11 was given. The actual hearing of the case commenced on the 30th November, 1964. On this broad outline, it is argued on behalf of the appellant that the name of P.W. 11 was thought of subsequently as he was a relation of P.W 7 and, therefore, the whole case of corroboration by the evidence of P.W. 11 should be rejected. I do not, however, think that such a sweeping view should be taken for rejecting the testimony of P.W. 11, unless there are other materials to

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indicate that this aspect of the case is false and has been concocted. If the argument on behalf of the appellant is acceptable in this respect, it may be presumed that after filing the first list of witnesses on the 24th September, 1964, ways and means were being thought of to bolster up a case by introducing further materials on the record. If this were so, then there is no reason why the second list of witnesses was not filed earlier, when an application was filed on behalf of Sri Yajee on the 1st October, 1964, praying for amendment of schedules 1 and 2 of the election petition. By amendment of schedule 1, three particular cases were introduced, to the effect that three voters, Sri Vidya Kishore Vidyalankar, M.L.A., introduced, to the effect that three voters, Sri Vidya Kishote Vidyalankai, M.L.A., Sri Pal Dayal, M.L.A., and Sri Bholanath Das, M.L.A. were actually paid money to vote for Sri Jain. The amendment sought with respect to schedule 2 was by the introduction of a case that five more voters, named Sri Chandra Shekhar Singh, M.L.A., Sri Ramanand Tewary, M.L.A., Sri Nripendra Narain Singh Deo, M.L.A., Sri Prabhat Kumar Aditya Deo, M.L.A., and Sri Rudra Narain, M.L.A., were offered money to vote for Sri Jain. Therefore, if the contention raised on basels of the appellant he correct then presumably the case of examining P.W. behalf of the appellant be correct, then, presumably, the case of examining P.W. Il to depose falsely had not been thought of on or about the 1st October, 1964. Therefore, on the same reasoning, the name of P.W. 11 was invented between the 1st October and 18th November, 1964, when the second list was filed, mentioning the name of P.W. 11. If this were the case, then one would have expected that attempts would have been made to bolster up fully the new cases which were introduced by the petition of amendment filed on the 1st October, 1964. But, curiously enough, that was not done. For instance, the case of giving bribe to Sri Pal Dayal, introduced by the amended schedule 1, was not pressed in Court at all. Similarly, the case of offer of bribes to four persons, introduced by the amended schedule 2, was abandoned in Court. Only one witness was examined as P.W. 17 (whose name had been mentioned in the first list) to prove the allegations with respect to bribery of Sri Bholanath Das. Similarly, only one witness, namely P.W. 10 (whose name had also been mentioned in the first list) was examined to prove the allegations of bribing Sri Vidya Kishore Vidyalankar. If attempts were being made to bolster up a false case by introducing fresh names of witnesses on the 18th November, 1484, one would have expected fresh names in the second list to support the cases of bribing Sri Bholanath Das and Sri Vidya Kishore Vidyalankar. By amended Schedule 2, the case of offer of bribe to Sri Prabhat Kumar Aditya Deo was introduced. But only one witness, namely, P.W. 13 (whose name was mentioned in the second list) was examined in this connection. It seems to me that if improvements were being thought of later on, then better attempts would have been made to prove the cases by the amendments of the two schedules. In view of this state of affairs, it is hardly likely that the name of P.W. 11 would have been introduced to depose falsely in support of the case of offer of bribe to P.W. 7. However, these matters are extremely speculative and marshalling of evidence in a case like this cannot be expected with the thoroughness of logistics. I shall, therefore, proceed with the consideration of the evidence of P.W's 7 and 11 on their own merit. The evidence of P.W. 7 has been challenged as that of a highly interested witness, on the ground that he was a proposer for Sri Yajee. I do not think there is any force in this contention, because, it has been elicited from P.W. 7, in cross-examination, that he had signed as proposer or seconder on three or four nomination papers including that of Sri Yajee. P.W. 7 had also been a proposer of Sri Choudhary A. Muhammad. Therefore, there is no indication that P.W. 7 had any special interest in the cause of Sri Yajee's success. As a mitter of fact, it has on the record that the Congress M.L.A., were divided into groups, to yet the formula of the congress of the control of the congress of the congress of the control of the congress of the congre that the Congress M.L.A's were divided into groups, to vote for six Congress candidates and P.W. 7 was in the group in which the members were directed to cast their votes in favour of Sri Choudhary A. Muhammad. This aspect of the matter has another important hearing, because it has been argued on behalf of the appellant that why did P.W. 7 inform Sri Choudhary A. Muhammad about the incident in question on the 25th March, when he did not inform Sri Yajee about this matter until the latter returned to Patna. I think it was quite natural for P.W. 7 to mention this matter to Sri Choudhary A. Muhammad on the 25th March, because he was expected to vote for Sri Choudhary A. Muhammad and not far Sri Vaise. I do not still have the down inhorant defeat in the evidence of P.W. 7 for for Sri Yaiee. I do not find any inherent defect in the evidence of P.W. 7 for disbelieving him and his evidence alone may be sufficient for accepting the case that Sri Jain was guilty of indulging in corrupt practice. Then comes the evidence of P.W. 11. His evidence is challenged, first, on the ground that he was related to P.W. 7. This contention is too general to be accepted for rejecting the testimony of this witness. It is contended further that the conversation that P.W. 11 is said to have overheard is not exactly the conversation that had taken place according to P.W. 7. This contention is also without much substance. The substance of the evidence given by P.W's 7 and 11 seems to be the same and absence of tutoring is manifest from the fact that P.W. 11 has not repeated the conversation in exactly the same words in which it has been deposed to by P.W.

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There is another indication which can be gathered from the evidence of P.Ws 7. There is another indication which can be gathered from the evidence of P.Ws 7 and 11 taken together, which is this: In his examination-in-chief P.W. 7 stated that at the time of the incident in question P.W. 11 was there, but P.W. 7 did not say at that stage that he had any conversation with P.W. 11 after Sri Jain and his party had left. It was elicited by cross-examination of P.W. 7 that on the 24th March, 1964 he had informed P.W. 11 about the conversation after Sri Jain and his party had left. The evidence of P.W. 7 given in his examination-in-chief and in cross-examination in this context has the naturalness which goes to prove that the evidence must be true. Some argument was advanced as to when P.W. 7 could have given information to Sri Yajee that P.W. 11 was also present. P.W. 7 has deposed that he informed Sri Yajee about the incident eight to ten days offer could have given information to Sri Yajee that P.W. 11 was also present. P.W. 7 has deposed that he informed Sri Yajee about the incident eight to ten days after the election result was out, but, at that time, he had not named P.W. 11. The name of P.W. 11 was disclosed about a month before December, 1964. Here also, I do not find any improbability. Only because at the time of the first conversation with Sri Yajee, P.W. 7 had not disclosed the name of P.W. 11, it cannot be held that the evidence given by P.W. 7 must be false. It is not fully known what was the nature of the first conversation between P.W. 7 and Sri Yajee and in what circumstances the conversation had taken place and for how long they had taken and therefore there may not have been any convertinity of bringing to talked, and, therefore, there may not have been any opportunity of bringing in the name of any corroborating witness on the first occasion. Then, some statement made by P.W. 11 in cross-examination has been compared with the evidence given by Sri Yajce (P.W. 21) in this respect. It was elicited from P.W. 11 that he had mentioned about the fact that he had overheard the conversation of Sri Jain with P.W. 7 to one Anwar Zaidi, in the office of their paper called "Roshni", but that he had not said about it to Sri Yajee. This is compared with Sri Yajee's statement where he has deposed that he had verified about the incident from P.W. 11, who had confirmed that when Sri Jain had approached P.W. 7 with his proposal, he was also present at the place of P.W. 7. It is argued that according to P.W. 11, he had no conversation with Sri Yajee about this matter, while accordto F.W. 11, he had no conversation with Sri Yajee about this matter, while according to the latter, he had a talk about this matter with P.W. 11. Here also, I do not think that the criticism is valid. The emphasis laid by P.W. 11 is on his overhearing the conversation between Sri Jain and P.W. 7. This matter he had not told to Sri Yajee. What Sri Yajee had verified from P.W. 11 was that he had been present at the place of P.W. 7 at the time of the incident. It was not made clear in the cross-examination of Sri Yajee as to whether P.W. 11 had or had not told him that he had exemptored the convertible of Sri Yajee as to whether P.W. 11 had or had not told in the cross-examination of Sri Yajce as to whether P.W. II had or had not told him that he had overheard the conversation. Some argument had also been advanced on the fact that if P.W. II had been asked by P.W. 7 to go out on the verandah when Sri Jain and his party had come, P.W. 11 would not have cared to overhear the conversation that had taken place thereafter. But, this matter has been clarified by P.W. 11 in cross-examination, where he has stated that he had no wish to hear the talk, but as he was standing on the verandah by the side of the room, he could overhead the conversation. Therefore, it is not possible to accept the argument that P.W. 11 would not have overheard any conversation are if he were present on the verandah because he should not have overheard the even if he were present on the verandah, because he should not have overheard the conversation. It may be that he could not help overhearing some part of the conconversation. It may be that he could not help overhearing some part of the conversation, standing as he was on the adjoining verandah. It has also been argued by the learned counsel for the appellant that as P.W. 11 had not seen Sri Jain before the time of the incident, he could not have recognised the voice of Sri Jain talking to P.W. 7. In my opinion, this is too critical an approach to the evidence given by this witness. He had heard someone talking to P.W. 7 at the time of the incident and it was quite possible for him to state later on, that, it was Sri Jain who was the person who had talked to P.W. 7. Upon a consideration of the evidence given by P.W's 7 and 11. I am of the opinion that their evidence should be accepted. So far as Sri Yajee (P.W. 21) is concerned, he has deposed that P.W. 7 had informed him about the conversation with Sri Jain and I do not see any reason for dishelieving this evidence. He had left Patna on the I do not see any reason for dishelleving this evidence. He had left Patna on the 26th March, 1964 and he had returned on the 4th April, and it fits in with the evidence of P.W. 7 to the effect that eight to ten days after the result was out he had talked about the incident to Sri Yajee (P.W. 21).

7. The second incident which falls for determination is based on the evidence of Sri Ram Narain Choudhary (P.W. 2). This witness was a member of the State Assembly on Congress ticket and he was also a voter from the Assembly consti-Assembly on Congress ticket and he was also a voter from the Assembly constituency in the election in question. He has deposed that on the 26th March, 1964 at about 7 a.m. he was in his flat, which consisted of two rooms. In the front room two persons named Sheodeo Singh (P.W. 9) and Manoranjan Prasad (P.W. 14) were staying at that time. P.W. 9 was a research student in the Patna University and P.W. 14 was in service in the Patna Improvement Trust. The witness was taking Nasta in the second room, when P.W's 9 and 14 went to him and informed him that three persons had come, who were Sri Jain, Sri Vishwanath Prasad Verma and Sri Dutta. P.W. 2 did not know the full name of Sri Dutta, but he had known Sri Verma for sometime. These three persons were called in and Sri Verma then talked to P.W. 2, saying that he had come once before. P.W. 2 replied that he must have gone away somewhere at that time. Thereafter Sri Verma introduced Sri Jain to P.W. 2 as a candidate for the Rajya Sabha election. P.W. 2 stated that he knew that from before. Then Sri Jain said that he wanted the help of P.W. 2. P.W. 2 replied that as he was a Congress M.L.A., what help could Sri Jain expect from him. Sri Jain then said that in the election of P.W. 2 he must have incurred certain expenses and, therefore, Sri Jain wanted to help him, so that P.W. 2 may help Sri Jain. The actual words in this context were:

"Is par Jain Saheb Ne Kaha Ki Apko Bhi To Election men Kharch Barch Hua Hoga. Isliye Ham Apko Kuchh Seva Karana Chahte Hain. Ap Hamare Madad Kijiye."

Upon this P.W. 2 told Sri Verma that he knew P.W. 2 for a long time and he was made of a different stuff and, therefore, why offer of money was made to him. Then, Sri Jain asked to be pardoned and thereafter all the three persons went away. P.W. 2 has stated that he had told about this incident to Sri Yajee on the away. P.W. 2 has stated that he had told about this incident to Sri Yajee on the same day after the result of the election was out. It was elicited in cross-examination of P.W. 2 that next day, i.e., on the 27th March, 1964 he had disclosed this matter to the Chief Whip, who is Shakoor Ahmad (P.W. 13). This evidence given by P.W. 2 has been supported by Sri Yajee (P.W. 21), who has deposed that after the election result was declared on the 26th March, 1964, P.W. 2 had informed him that in the morning Sri Jain had approached him, saying that P.W. 2 should accept money to meet the cost which he had incurred in his own election and cast his first preference vote in favour of Sri Jain. According to Sri Yajee (P.W. 21), he had been told subsequently by P.W. 2 that at the time of the incident, P.W's 9 and 14 were there and this matter was verified. P.W. 9 has corroborated the evidence of P.W. 2 and has added that just after the incident, P.W. 2 had told him and P.W. 14, "Dekho Punji Pati Log Hamko Kharidna Chahte Hain". The name of Sri Jain had also been mentioned at that time, This is also the substance of the evidence of P.W. 14. According to the Chief Whip (P.W. 13), on the 27th March, 1964, P.W. 2 had told him that a Congress candidate had been defeated, because money had passed in the election and that P.W. 2 had been approached and in that context he had taken the name of Sri Jain and some other persons. If the evidence given by P.W.'s 2, 9, 14 and 13 is accepted, then there is no doubt that this allegation has also been proved. The same argument is advanced for rejecting the evidence of P.Ws. 9, 14 and 13, as they had been named in the second list filed on the 18th November, 1964. But, for the reasons already given, the evidence of these witnesses must be tested on their merit and their evidence cannot be rejected only because they were not named in the first list. The evidence of P.W. 2 is challenged on grounds which do not appear to me to be subaccept money to meet the cost which he had incurred in his own election and cast dence of P.W. 2 is challenged on grounds which do not appear to me to be substantial at all. It is contended that in the examination-in-chief this witness stantial that he had been elected to the Legislative Assembly in 1957 also, whereas it appears from his cross-examination that in the 1957 election he had been defeated by Harihar Mahton. In 1957 P.W. 2 had contested from Bariarpur Constituency from the Praja Socialist Party. I do not think that the discrepancy of the property of fact. is so serious as to vitiate entire evidence of this witness. As a matter of fact, it appears to me that the year 1957, mentioned in the second paragraph of the evidence of this witness, was so recorded by mistake, and the Tribunal was cognisant of the fact that P.W. 2 had been elected twice and not thrice. This has been clearly stated in paragraph 87 of the order under appeal. It is then argued that P.W. 2 has stated that he did not remember if he was made to sign argued that P.W. 2 has stated that he did not remember if he was made to sign any paper showing as to in favour of which particular candidate he was to cast his first preference vote. According to the learned counsel for the appellant, the voters had signed such papers and this witness for some reason or other was feigning loss of memory. This argument is also too speculative for rejecting the evidence of this witness on this ground. Even if P.W. 2 had signed any paper indicating the candidate for whom he had to cast his first preference vote, he may have forgotten about this matter. If the evidence given by P.W. 2 in his examination-in-chief is considered as a whole, an impression is created that he has not come forward to give false testimony, without any regard for truth. For instance, if P.W. 2 was being brought forward to support a false case, it is unlikely that he would depose about the presence of P.Ws 9 and 14 and then he would forget to state in his examination-in-chief that immediately after the he would forget to state in his examination-in-chief that immediately after the incident he had told about this matter to these two persons naming Sri Jain. As a matter of fact, it was elicited in cross-examination that when he had disclosed about the incident to Sri Yajee, he had also told him that P.W's. 9 and 14 were present at the time of the incident and P.W. 2 had told them at that very time that capitalists had the audacity to come and try to bribe him to purchase his vote. Therefore, it is difficult to believe that P.W. 2 was being examined to support a false case. Some argument was advanced by learned counsel for the parties on the evidence of P.W. 2 where he has deposed in his cross-examination that he had written a letter to his party leader, i.e., the Chief Minister, complaining of the approach made by Sri R. P. Jain and his men, on broad lines, though in that letter he had specifically mentioned the talks that they had with him and the reply that was given by him. According to P.W. 2 this letter had been written eight to ten days after the incident in question. Learned counsel for the appellant has urged that when this letter has not been produced, an adverse inference should be drawn against the evidence of P.W. 2, whereas according to the learned counsel for Sri Yajee, when this matter was elicited in cross-examination, it was the duty of Sri Jain to call for this letter, and when that was not done, it must he held that such a letter was, in fact, written by this witness. I do not think that the contention raised by the learned counsel for the appellant that an adverse inference should be drawn can be accepted. The witness stated in cross-examination that he could not say where that letter could be found now and if the witness was going to be contradicted, the letter should have been called for on behalf of Sri Jain. On the other hand, it is difficult to hold also that the letter would have supported the evidence of P.W. 2 and, therefore, I will leave this matter at large. On the whole, I do not think sufficient grounds have been made out for rejecting the evidence of P.W. 2.

8. Now, I shall consider the evidence given by Sheodeo Singh (P.W. 9) and Manoranjan Prasad (P.W. 14) in this context. P.W. 9 was a co-villager of P.W. 2 and P.W. 14 was a man of his constituency. The evidence of these two witnesses is challenged on the following discrepancy. P.W. 9 has deposed that on the 26th March, 1964, that is to say, on the date on which the poll was held, at about 7 A.M., he and P.W. 2, when there was a knocking sound at the door. at about 7 a.m., he and P.W. 2, when there was a knocking sound at the door. P.W. 14 went and opened the door and on seeing Sri Jain and his party, he and P.W. 14 went to inform P.W. 2, whereupon the latter asked that Sri Jain and his party may be sent to P.W. 2's room. P.W. 14 has said in this connection, that when Sri Jain and his party came to the flat of P.W. 2, he was washing his mouth on the verandah and P.W. 9 was reading and writing inside the room. Some knocking sound was heard, whereupon P.W. 9 asked him to go and open the door, which he did. It is contended on behalf of the appellant that this contradiction shows that P.Ws 9 and 14 were not present in the flat of P.W. 2 and that false evidence has now been introduced. In my opinion, however, the contradiction is not so substantial that an inference must follow that false evidence has been given by P.Ws 9 and 14. It may be realised that P.W. 9 has deposed tradiction is not so substantial that an inference must follow that false evidence has been given by P.Ws. 9 and 14. It may be realised that P.W. 9 has deposed in his very examination-in-chief that he and P.W. 14 were sitting in their room. If a false case was concocted, it is highly unlikely that P.W. 14 would have said in his own examination-in-chief that he was washing his mouth on the verandah and P.W. 14 was reading and writing inside his room. Therefore, the discrepancy must be due to lapse of memory. From the evidence of P.Ws. 2, 9 and 14 taken as a whole, there is unmistakable indication that P.Ws 9 and 14 used to live in P.W.2's flat and the evidence given to the contrary by Budhinath Singh (R.W. 6) cannot be accepted. For instance, it was elicited from P.W. 2 in cross-examination that when he stayed in his flat, he and P.Ws. 9 and 14 had common messing, and when he was away from Patna, these two persons managed about their own food. No such evidence was given by P.W. 9 in his examination-in-chief; but this matter was put to him in cross-examination, when he stated that when P.W. 2 lived in the flat, he and P.W. 14 took their meals with him and in his absence, they took their meals outside. Then, it was examination-in-ciner, but this matter was put to film in cross-examination, when he stated that when P.W. 2 lived in the flat, he and P.W. 14 took their meals with him and in his absence, they took their meals outside. Then, it was elicited from the cross-examination of P.W. 2 that P.W. 14 began in his flat from about one year before the 26th March, 1964. When P.W. 14 was examined, he did not refer to this aspect of the matter. But this was put to him in cross-examination and he stated that he was living in the flat of P.W. 2 since April, 1963. In my opinion, these are unmistakable details from which it should be held that P.Ws 9 and 14 were living in this flat when the incident is said to have taken place. Budhinath Singh (R.W.6) was examined to state that he was staying in flat No. 44 on the first floor whereas P.W. 2 had his flat No. 42 on the ground floor. He has deposed that at the time of the election in March, 1964, no outsider was permanently living in flat No. 42. He has deposed that no persons named Sheodeo Prasad Singh and Manoranjan Singh were living in flat No. 42 at that time. I am not, however, prepared to accept the evidence of this witness on this point. As a matter of fact, it is clear from his cross-examination that he did not know any of the details about the occupants of the other flats. It was elicited from his cross-examination that he did not know the names of the brother, son, nephew or any relation of P.W. 2. He knew the name of only one person of P.W. 2's constituency, namely Sri A. K. P. Sinha. He did not remember the name of any other man of P.W. 2's constituency. He did not remember the name of the village of P.W. 2. Therefore, it is hardly likely that he would have known the names of any of the occupants of the flat of P.W. 2. In the result, I do not see any reason for rejecting the evidence of P.Ws. 9 and 14.

- 9. Coming to the evidence of P.W. 13, it is contended on behalf of the appellant that according to this witness, who was the Chief Whip of the Congress Party, he had been informed in the Assembly Office on the 27th March, 1964, by P.W. 2, at about 11 or 11-30 A.M., about the incident. It is urged that this evidence must be entirely false, as according to the evidence of R.W. 6, who was a voter in the election in question, after the voting on the 26th March, 1964, the Assembly was closed for about a week from the 27th March. It is argued that P.W. 2 could not have given any information to P.W. 13 in his Assembly Office. In my opinion, there is not much substance in this contention. The Assembly may have been closed from the 27th March, 1964, but only for this reason it cannot be held that P.W. 13 has falsely stated that he was in his office in the morning of the 27th March, 1964. It was elicited from P.W. 13 in cross-examination that the result of the election was announced nearabout 8 A.M. or 9 P.M. and that he had learnt about the result in his office in the Assembly premises, because he had returned there from his residence after taking tea. When he was in his office, people had come and had informed him about the defeat of Sri Yajee. Therefore, it is clear that P.W. 13 used to go to his office even when the Assembly may not have been actually sitting. There is no clear evidence that the office of the Chief Whip used to be closed when the Assembly was not sitting. Merely from the evidence of R.W. 6 to the effect that the Assembly was closed for about a week from the 27th March, 1964, it cannot be held that the office of P.W. 13 was also closed for these days. If reliance was going to be placed on behalf of the appellant on this aspect of the matter, before the Tribunal, much better evidence could have been adduced in this behalf. As a matter of fact, the appellant had examined a Whip of the Congress Party, who was Mangal Prasad Yadav (R.W.2). He was also a voter in this election. He would have been in a posit
 - "R. P. Jain had signed and made over to me my appointment as his election agent on 10th March, 1964, and I had made it over to the Returning Officer on 10th March, 1964, or 11th March, 1964, which I do not now remember. Before he appointed me as his election agent I had never done of his election works. After he made over my appointment paper as his election agent I asked him what would be my duties in which he informed me that I had been appointed like this for the facility of taking papers to and from the Returning Officer. Except taking to and from the Returning Officers papers concerning his election and working at the time of polling and counting I had not done any other work of R. P. Jain in this election as his election agent.
 - I do not now remember of any paper that I had taken to or taken from the Returning Officer. I have not kept copy of any paper that I had taken to the Returning Officer because as being just a messenger to take them I had no need to keep their copy."

This evidence can hardly be accepted as true. Then, he has stated again:-

"After my appointment as his election agent and before the actual polling in this election I had no occasion to be with R. P. Jain for an hour or so even adds whenever he used to call me for a minute or so I used to go to him and return after a minute or so. Between 10th March, 1964, to 26th March, 1964, I had met him for 5 to 7 times only and their duration were for about 10 to 15 minutes each."

This kind of statement from an election agent cannot possibly be believed.

10. For the reasons given above, I agree with the conclusion arrived at by Ramratna Singh, J., to the effect that the allegations of offer of bribe to Sri

Mustaq Ahmad (P.W. 7) and Sri Ram Narain Choudhary (P.W. 2) by Sri Jain have been established. I agree with him that the appeal should fail.

PATNA HIGH COURT:

The 3rd March, 1966.

Sd/- U. N. SINHA.

[No. 82/7/64.] By order, PRAKASH NARAIN, Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 25th March 1966

8.0. 984—Statement of the Affairs of the Reserve Bank of India as on the 18th March 1966.

BANKING DEPARTMENT

Liabilities	Rs.	Assers	Rs.
· · · · · · · · · · · · · · · · · · ·		·	
Capital Paid up	5,00,00,000	Notes	. 16,18,75
		Rupee Coin	3,98
Reserve Fund	80,00,00,000	Small Coin	- 4,23
National Agricultural Credit (Long Term Oprations) Fund	100,00,00,000	Bills Purchased and Discounted— (a) Internal	,
		(b) External	• • •
		(c) Government Treasury Bills	55,51,60
National Agricultural Credit (Stabilisation) Fund	10,00,00,000	Balances Held Abroad*	15,32,78
National Industrial Credit (Long Term Operations) Fund	15,00,00,000	Investments**	. 115,58 ,9 3
		(i) Central Government	
		(ii) State Governmenta (@)	. 165,43,83

Deposits :			Loans and advances to :-
(a) Government:			(i) Scheduled Banks†
(i) Central Government .		53,77,16,000	Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund—
(ii) State Governments .		24,81,49,000	(a) Loans and Advances to:-
			(i) State Governments
(b) Banks:—			(b) Investment in Central Land Mortgage Bank Debentures 5,47,77,000
			Loans and Advances from National Agricultural Credit
(i) Scheduled Banks		107,95,45,000	(Stabilisation) Fund—
(ii) State Co-operative Banks		4,42,75,000	Loans and Advances to State Co-operative Banks
(iii) Other Banks .		1,55,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund—
(c) Others		193,35,14,000	(a) Loans and Advances to the Development Bank 3,08,87,000
Bills Payable		39,27,16,000	(b) Investment in bonds/debentures issued by the Development Bank
Other Liabilities		89,87,45,000	Other Assets
R	Rupees .	723,48,15,000	Rupees 723,48,15,000

^{*}Includes Cash and Short-term Securities.

Dated the 22nd day of March, 1966.

^{**}Excluding investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

[@]Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

[†]Includes Rs. 39,75,89,000 advanced to scheduled banks against usance bills under section 17(4)(c) of the R. B. I. Act.

^{††}Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

An account guessiant to the Reserve Birk of India Act, 1934, for the week ended the 18th day of March 1966

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
N. a. I. I. I. da Parlina Dana	7	-,,- -	Gold Coin and Bullion:-	 	
Notes held in the Banking Depart ment Notes in Circulation	- 16,18,75,000 2873,72,20,000		(a) Held in India (b) Held outside India	115,89,25,000	
Total Notes issued .		2889,90,95,000	Foreign Securities	95,05,24,000	
			TOTAL		210,94,49,4
			Rupee Coin		92,69,10,0
			Government of India Rupee Securities		2586,27,36,0
			Internal Bills of Exchange and other commercial paper		
Total Liabilities .		2889,90,95,000	TOTAL ASSETS		2889,90,95,00

[No. F. 3(3)-BC/66.] R. K. SESHADRI, Director (Banking).

MINISTRY OF COMMERCE

New Delhi, the 21st March 1966

S.O. 985.—In exercise of the powers conferred by clause (b) of sub-section (3) of section 4 of the Central Silk Board Act, 1948 (61 of 1948), the Central Government hereby nominates Shri K. Srinivasan, Deputy Secretary to the Government of India, Ministry of Commerce, as a member of the Central Silk Board vice Shri T. S. Kunchithapatham and makes the following further amendment in the notification of the Government of India in the Ministry of Industry No. S.O. 1313 dated the 9th April, 1964, namely:—

In the said notification for the entry relating to serial No. 1, the following entry shall be substituted, namely:—

"1. Shri K. Srinivasan, Deputy Secretary to the Government of India, Ministry of Commerce.".

[No. F. 22/2/64-Tex(G).]

N. S. VAIDYANATHAN, Under Secy.

New Delhi, the 23rd March 1966

S.O. 986.—In exercise of the powers conferred by sub-section (2) of section 4 of the Khadi and Village Industries Commission Act, 1956 (61 of 1956), read with rule 3 of the Khadi and Village Industries Commission Rules, 1957, the Central Government hereby appoints each of the persons mentioned in column 2 of the table below as member of the Khadi and Village Industries Commission for a period of 3 years with effect from the 1st April, 1966:—

S. No.	Name
1.	2.
1. 2. 3. 4. 5.	Shri U. N. Dhebar Shri K. Arunachalam. Shri Dhwaja Prasad Sahu. Shri Akshaya Kumar Karan. Shri Somdutt Vedalankar.

- 2. In pursuance of sub-section (2) of section 4 of the Khadi and Village Industries Commission Act, 1956 (61 of 1956). the Central Government hereby nominates Shri U. N. Dhebar to be the Chairman of the Khadi and Village Industries Commission with effect from the 1st April, 1966.
- 3. In pursuance of sub-section (3) of section 4 of the Khadi and Village Industries Commission Act, 1956, (61 of 1956), the Central Government hereby appoints Shri K. Arunachalam to be the Vice-Chairman of the Khadi and Village Industries Commission with effect from the 1st April, 1966.
- 4. In exercise of the powers conferred by section 5 of the Khadi and Village Industries Commission Act, 1956. (61 of 1956), the Central Government hereby appoints, after consultation with the Khadi and Village Industries Commission, Shri Akshaya Kumar Karan to be the Secretary of the Commission with effect from the 1st April, 1966.

[No. F. 41/1/66-K. V. I(P).] P. SITARAMAN, Dy. Secy.

DIRECTIONS

New Delhi, the 24th March 1966

S.O. 987.—In exercise of the powers conferred by sub-section (4) of section 18B of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following amendments in the Directions published in the notified Order of the Government of India in the Ministry of

Commerce S.O. No. 1805 dated the 2nd June, 1965 and issued to the Authorised Controller of the Katihar Jute Mills, Katihar, namely:—

In the said directions, for paragraph (3), the following paragraph shall be substituted, namely:—

"(3) In consideration of the working capital to be invested in the undertaking by the Government of Bihar or obtained from financing institutions on the guarantee of the Government of Bihar, the Authorised Controller shall mortgage the fixed assets of the undertaking, that is to say, land, buildings, machinery and the like only in favour of the Government of Bihar. The Authorised Controller may, for the purposes of obtaining additional cash credits from scheduled Banks, mortgage with the prior approval and guarantee of the Government of Bihar, the current assets of the undertaking, that is to say, raw jute, jute in process of manufacture, finished products and the like, provided that the total borrowings do not exceed Twentyeight lakh rupees."

[No. F. 9(90)-Tex(D)/64.]

A. G. V. SUBRAHMANIAM, Under Secy.

MINISTRY OF INDUSTRY

(Indian Standard: Institution)

New Delhi, the 18th March 1966

5. O. 988.—The Certification Marks Licences, details of which are given hereafter, have lapsed or their renewal deferred.

SI. No.	Licence No. and Date	Licensee's Name and Address	Article and the Indian Standard Number	Gazette Notification Notifying Grant	
(1)	(2)	(3)	(4)	of Licence (5)	(6)
ı	CM/L-380 25-1-1962	Menco Electricals Pvt. Ltd., Industrial Estate, Olavakkot, (Kerala)	Metal clad switches, 15 and 30 amp. 250 and 500 volts grade—IS:1567—1560	S.O. 1C62 7-4-15t2	Deferred after
2	CM/L-466 30-10-1962	Sial Soap Stone Factory, Rupsund (S.E. Rly.), P.O. Barwara Via Kann, Listi. Jubalpur (M.P.)	, EKC dusting pewdent—18:361-1962	S.O. 3518 24-11-1902	Lapsed after 15-12-1965
3	CM/L-502 24-1-1963	Abrol Engg. Co., Circular Road, Kepunkala, (Punjub)	Fuse bases and fuse carriers rewirable type, capacity 15 amp. 250 volts and 30 amp. 500 volts—15: 2086-1963		Deferred after 15-2-1966
4	CM/L-619 10-1-1964	The Indian Tube Co. (1953) Ltd., Jamshedpur (Bihar)	Mild steel tubes and tubulars-15:1239- 1964	S.O. 6c8 22-2-1964	Deferred after 15-2-1966
-	CM/L-1011 22-2-1965 CM/L-1012 22-2-1965	Shembekar Industries, Chichwad, Feona Do.	Three-plase induction motors (up to 3) HP only)—IS:325-1961 Small AC and universal electric motors with Class 'A' insulation, single phase capacitor start—IS:996-1959	S.O. 987 27-3-1965	Deferred after 28-2-1966

[No. MD/33: 16/C.] D. V. KARMARKAR, Deputy Director General (Marks).

MINISTRY OF EDUCATION

ARCHAEOLOGY

New Delhi, the 21st March 1966

S.O. 989.—Whereas by notification of the Government of India in the Ministry of Education No. S.O. 3838, dated the 6th December, 1965, published in Part II, Section 3, sub-section (ii) of the Gazette of India dated the 11th December 1965, the Central Government gave notice of its intention to declare the archaeological site and remains specified in the Schedule below to be of national importance.

And whereas no objections have been received to the making of such declara-

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and A chaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said archaeological site and remains to be of national importance.

300. 8(H)]

		<u> </u>			THE SC	TEDULE -				
SL. No.	State	Datrict	Tehsil	Locality	Name of site	Revenue plot number to be included under protection	Arca	Boundaries	Ownership	Remarks.
1	2	3	4	5	6	7	8	9	10	11
1	Rajasthan	Chitorgarh	Kapasam	Nilodh	Archaeological site and remains at Jeora comprised in survey plot No. 416.	Survey plot No. 416.		North: Survey Plot Nos. 240, 237, 235, 234, 230, 267, 221 and 417. East: Survey Plot Nos. 263, 265, 266, 268, 412 and 415. South: River Berach West: Nala.	Govern- ment.	

[No. F. 4-16/65.C.I.]

S.O. 990.—Whereas by the notification of the Government of India in the Ministry of Education No. F. 4-18/65.C. 1, dated the 6th December, 1965, the Central Government gave notice of its intention to declare the archaeological site and remains specified in the Schedule below to be of national importance.

And whereas no objections have been received to the making of such declaration.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said archaeological site and remains to be of national importance.

'THE SCHEDULE'

SL No.	State	District	Tehsil	Locality	Name of site	Revenue plot number to be included under protection	Are a	Boundaries	Ownership	Remark
ī	2	3	4 .	5	6	7	8	9	10	11
I	Uttar Pradesh	Meerut	Ghaziabad	Karhera	Ancient mound Kaseri comprised survey plot No. 20		22 Bigha and 6 Biswa.	North: Survey plot Nos. 1962, 1963, 1904, 1905, 1907, 1908, 1910, 1911, 1915 and 1974. East: Survey plot Nos. 1975, 1977, 1980, 1981, 1983, 1984, 1985, 1986, 1989, 1990, 1991, 1992, 1993, 1995, 1996, 2000, 2001, 2012 and 2013. South: Survey plot Nos. 2006, 2007, 2010,2011 and 2157 West: Survey plot Nos. 1868, 1869, 1870, 1871, 1972, 1873, 1874, 1910 and 2005.	Samaj	••

[No. F. 4-18/65.C.1.]

SHARDA RAO (Mrs.),
Assistant Educational Adviser.

DEPARTMENT OF COMMUNICATIONS

(P. & T. Board)

New Delhi, the 21st March 1966

8.0. 991.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specifies the 1st April, 1966 as the date on which the Measured Rate System will be introduced in Udumalpet Telephone Exchange.

[No. 5-13/66-PHB.]

. ĻZ,

New Delhi, the 22nd March 1966

S.O. 992.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specifies the 29th March, 1966 as the date on which the Measured Rate System will be introduced in Mirzapur Telephone Exchange.

[No. 5-19/66-PHB.]

8.0. 993.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 3th March, 1960, the Director General Posts and Telegraphs, hereby specifies the 30th March, 1966 as the date on which the Measured Rate System will be introduced in Ballabgarh Telephone Exchange.

[No. 5-15/66-PHB.]

D. R. BAHL,

Assistant Director General (PHB).

संचार विभाग

(डाक-तार बोर्ड)

नई दिल्ली, 22 मार्च 1966

एस० म्रो० 994.—स्थायी म्रादेश कमसंख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गए 1951 के भारतीय तार नियमों के नियम 434 के खण्ड III के पैरा (क) के म्रानुसार डाक-तार महानिदेशक ने बल्लभगढ़ टेलीफोन केन्द्र में 30 मार्च, 1966 से प्रमापित दर प्रणाली लागू करने का निश्चय किया है।

(सं० 5-15/65-पी० एच० बी०)

एस० म्रो० 995.—स्थायी म्रादेण कमसंख्या 627, दिनांक 8 मार्च, 1960 हारा लामू किये गए 1951 के भारतीय तार नियमों के नियम 434 के खण्ड III के पैरा (क) के म्रनुसार हाक-तार महानिदेशक ने मिर्जापुर टेलीफोन केन्द्र में 29 मार्च, 1966 से प्रमापित दर प्रणाली लागू करने का नियचय किया है।

[5-19/66-पी० एच० बी०]

डी० धार० बहल,

सहायक महानिदेशक (पी०एच०बी०)

MINISTRY OF PETROLEUM AND CHEMICALS

New Delhi, the 22nd March 1966

S.O. 996.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 126 dated 24th December, 1965, under sub-section (i) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Centra Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And, whereas, the Competent Authority has, under sub-section (i) of Section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in lands specified in the Schedule appended to this notification;

Now, therefo e, in exercise of the powers conferred by sub-section (i) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laving the pipelines and in exercise of the powers conferred by sub-section (4) of that Section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Cent al Government, vest on the date of publication of this declaration in the Oil and Natural Gas Commission, free from all encumbrances.

SCHEDULE

State: Gujarat

Dist. : Mahesana

Taluka: Kalol

Village								Survey No.	Acr e	Guntha	Sq. yds.
Rakanpur		,						664	٥	б	6 6
Santej .		•						311 293 408	0 0 0	0 17 6	100 102 66
Vadnsar ,		•	•	•	•		•	1312 1074/2 1074/1/1 1074/1/2 790	0 0 0	25 2 4 2 5	45 o o o 50
Sabaspur	•					-		210 < 3	0 0	17 9	110 25
Serisa .								1033/T 579 569 645 933/2 546/T	. 0	3 7 15 24 1 26	27 30 99 4 10 43
Ramnagar							٠	98/1	0	3	106
Bori Sana	•	٠	٠			-	-	747 771 695/4 694	0 0 0	7 16 1 12	25 63 0

[No. 25(29)/65-ONG/OR/Vol. IV.]

S.O. 997.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 321 dated 17th January, 1966, under subsection (i) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And, whereas, the Competent Authority has, under sub-section (i) of Section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in lands specified in the Schedule appended to this notification;

Now, the efore, in exercise of the powers conferred by sub-section (i) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by Sub-section (4) of that Section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Gove nment, vest on the date of publication of this declaration in the Oil and Natural Gas Commission, free from all encumbrances.

SCHEDULE

					Di	strict/	Bro	·ch	TalukaAnkleshwar			
Vi	llage						—			 	 Survey No.	Area required in guntha
Adol											288	2.8
Adol											2 91	7.6
Adol											292(2)	2.5
Adol											297	7.1
Adol											302	3 4

¡No. 31 (67) /63-ONG/OR/VOL-2.]

S.O. 998.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 125 dated 24th December, 1965 under sub-section (i) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Centra' Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And, whereas, the Competent Authority has, under sub-section (i) of Section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by Sub-section (4) of that Section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of publication of this declaration in the Oil and Natural Gas Commission, free from all encumbrances.

SCHEDULE

State: Gujarat		irtaiCl	ct—-	^ hm=	Taluka : Dascroi			
Village Villag				- 	Survey No.	Acre	Guntha	Sq. yds.
Silaj	•			,	330	o	. 9	22

[No. 25(29)/65-ONG/OR/V.]

V. P. AGARWAL, Under Secy.

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 23rd March 1966

S.O. 999.—In pursuance of the provision of sub-section (4) of Section 22 of the Delhi Development Act, 1957, the Delhi Development Authority has replaced at the disposal of the Central Government the land described in the schedule below for placing it at the disposal of the Land and Development Officer, Ministry of Works and Housing, Government of India, New Delhi for fu ther transfer to the India Burmah Petroleum Company for a Petrol Pump-cum-Service Station on Link Road, near National Physical Laboratory. on Link Road, near National Physical Laboratory.

Schedule

Piece of land measuring 120' × 100' forming part of Khasra No. 201 situated in Southern Ridge Estate.

The above piece of land is bounded as follows: --

NORTH Kh. No. 202 min.

SOUTH Boundary of National Physical Laboratory.

EAST Link Road.

WEST Boundary of National Physical Laboratory.

[No. L2(47)62.]

R. K. VAISH, Secy.

MINISTRY OF LABOUR, EMPLOYMENT & REHABILITATION

(Department of Labour & Employment)

New Delhi, the 21st March 1966

S.O. 1000.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in the industrial dispute between the employees in relation to Messrs Darabshaw B. Cursetjee's Sons, Bombay and their workmen which was received by the Central Government on 16th March, 1966.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

REFERENCE No. CGIT 48 of 1965

Employers in relation to Messrs. Darabshaw B. Corsetjee's Sons, Bombay.

AND

Their Workmen

(represented by the Transport and Dock Workers' Union)

PRESENT:

Shri Salim. M. Merchant,—Presiding Officer.

For the employers.—Shri K. M. Jamadar, Labour Adviser.

For the workmen.-Shri S. R. Kulkarni, Secretary, Transport and Dock Workers Union.

Dated at Bombay this 14th day of March, 1966.

INDUSTRY: Major Port.

STATE: Maharashtra.

AWARD

On the joint application of the parties, the Central Government by the Ministry of Labour and Employment's Order No. 28/62/65-LR. IV. dated 22nd July, 1965, made in exercise of the powers conferred by Sub-Section (2) of Section 10 of the Industrial Disputes Act, 1947, (Act 14 of 1947), was pleased to refer the industrial dispute between the parties above-named in respect of the subject-matter specified in the following schedule to the said order, to me for adjudication

SCHEDULE

- "Whether as a result of understanding reached under Clause 3 between Messrs. Darabshaw B. Corsetjee Sons, Bombay, and their representatives of their foreman staff on 11th October, 1963, one or two night and III shift superintendents should be appointed by the firm to help the foremen in their difficuties, and who, if any, amongst the existing 'A' G-ade foremen may be selected and subsequently promoted."
- 2. After the parties had filed their written statements, at the hearing of this dispute on 21st February, 1966, the parties stated before me that it was agreed between them that Messrs. Darabshaw B. Corsetjee's Sons shall select from among the existing 'A' Grade foreman a "Round-Boss". It is agreed that the selection for this post, from among the 'A' Grade Foremen, shall be made by the Management, and that the person so selected for the post, shall be trained by the management to enable him properly to discharge the duties of the "Round-Boss". Thereafter, at the adjourned hearing of this dispute on 14th March, 1966, the parties were agreed that the basic pay-scale for the post of "Round-Boss" shall be Rs. 600—40—900 with no claim for any special allowance, but he shall be paid Rs. 80 as dearness pay and Rs. 90 as dearness allowance, per month, with such increase therein as is granted from time to time to "Round-Bosses.". It was further agreed that during the period of training, which shall not exceed one year, the selected 'A' Grade foreman shall be paid the minimum of the basic scale of Rs. 600—40—900 agreed upon and dearness pay and dea ness allowance as stated above, without his annual increment being otherwise affected. It was further agreed that the selection for training shall be made on and from 1st May, 1966, and that the selected persons will continue to get the same benefit by way of Provident Fund, Gratuity, Leave Travelling Concession, Leave with Pay, etc. as at present. Shri Ku karni made it clear that he had accepted the scale of pay of Rs. 600—40—900 as that is the present scale for "Round Bosses," in some concerns in the Bombay Docks. It was further agree that the "Round Boss" would be treated as an Officer. The parties have prayed that an Award be made in terms recorded above, and as this, seems to me. In the facts and circumstances of the case, to be a fair and reasonable settlement, I make an Award in terms thereof.

No order as to costs.

Sd./- SALIM M. MERCHANT, Presiding Officer. [No. 28(62)/05-LRIV.]

ORDER

New Delhi, the 25th March 1965

S.O. 1001.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Martin's Light Railways and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, the efore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

SCHEDULE

- Whether the action of the management of the Martin's Light Railways, Calcutta in removing from service of Shri Ramdas Singh, Chowkidar, with effect from the 25th October, 1965, was justified?
- 2. If not, to what relief is the workman entitled?

[No. 2/3/66/LRIV.]

S. A. SESHAN, Under Secy.

(Department of Labour & Employment)

لأولان يتعط بتند

New Delhi, the 21st March 1966

S.O. 1002.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the matter of an application under section 33A of the said Act, from Shri Benudher Behera, Tractor Diver, Thakurani Iron-Mines of Messrs Orissa Minerals Development Company Limited which was received by the Central Government on the 8th March, 1966.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD.

In the matter of a Complaint under Section 33A of The Industrial Disputes Act, 1947.

COMPLAINT No. 7 of 1965

PARTIES:

Shri Benudhar Bchera, Tractor Driver, Thakurani Iron Mines, M/s. Orissa. Minerals Development Co., Ltd.

Versus

The Management of M/s. Orissa Minerals Development Co., Ltd., P.O. Barbil, Dist., Keonjhar, (Orissa).

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L.,-Presiding Officer.

APPEARANCES:

For the Workmen Complainant.—Shri J. R. Dash, General Sccretary, Barbil Workers' Union and Shri P. K. Kumar and the Complainant in person.

For the Employers Opposite Party.—Shri M. S. Bala, Head of the Legal and Personnel Deptt., along with Shri S. Dayal, Senior Welfare Officer.

STATE: Orissa.

INDUSTRY: Minerals.

Dhanbad, dated 4th February, 1966.

AWARD

Extracts from the Order Sheet.

The Complainant filed a petition for withdrawing the complaint. Shri M. S. Bala, Head of the Legal and Personnel Department of the Company opposite party appeared for the Company along with Shri S. Dayal, Senior Welfare Officer of the Company. Shri J. R. Dass and P. K. Kumar, appeared for the union representing the complainant, who appeared in person. The Company has no objection to the withdrawal nor the union has.

Complainant is permitted to withdraw the complaint.

RAJKISHORE PRASAD, Presiding Officer.

[No. 37/35/65-LR.I.]

S.O. 1003.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the matter of an application under section 33A of the said Act, from Shri Sahebzan Beg. Tin Smith. Thekurani Mines of Messrs Orissa Minerals Development Company Limited which was received by the Central Government on the 8th March, 1966.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

In the matter of a Complaint under Section 33A of The Industrial Disputes Act. 1947

COMPLAINT No. 9 of 1965

PARTIES:

Shri Sahebzan Beg, Tin-Smith, Thakurani Mines, P.O. Thakurani, Dist., Keonjhar (Orissa).

AND

The Management of M/s. Orissa Minerals Development Co., Ltd., P.O Barbil, Dist., Keonjhar (Orissa).

PRESENT:

Sh'i Raj Kishore Prasad, M.A., B.L.,—Presiding Officer.

For the Workmen Complainant.—Shri J. R. Dash, General Secretary, Barbil Workers' Union (INTUC) and Shri P. K. Kumar and the Complainant in person.

For the Employers Opposite Party.—Shri M. S. Bala, Head of the Legal and Personnel Department along with Shri S Dayal, Senior Wellare Officer.

STATE: Orissa:

INDUSTRY: Minerals.

Dhanbad, dated 4th February, 1966

AWARD

Extract from the Order Sheet

The complainant filed a petition for withdrawing the complaint. Shri M. S. Bala, Head of the Legal and Personnel Department of the Company Opposite Party, appeared for the Company along with Shri S. Daval, Senior Welfere Officer of the Company. Shri J. R. Dash, General Secretary, Barbil Workers' Union and Shri P. K. Kumar, appeared for the Union representing the complainant, who appeared in person. The Company has no objection to the withdrawal nor the union has.

Complainant is permitted to withdraw the complaint

RAJKISHORE PRASAD. Presiding Officer.

INo. 37/35/65-LRI.1

ORDERS

New Delhi, the 21st March 1966

S.O. 1004.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Kendra Colliery Post Office Pandayeswar, District Burdwan and their workmen in respect of the matters *pecified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act. 1 47 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the suspension of Sarvashri Sahadeo, Chamar, Ramadhar Chamar and Munilal Chamar, Underground Loaders from the 21st January, 1965 to 8th February, 1965, by the management of Kendra Colliery is justified? If not, to what relief are these workmen entitled?

[No. 6/66/65-LRII.]

S.O. 1005.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Central Angarpathra Colliery of the Central Angarpathra Colliery Company, Post Office Sijua. District Dhanbad, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Ladustrial Discutes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

Schedule

Whether the action of the management of the Central Angarpathra Colliery of the Central Angarpathra Colliery Company, in not allowing Shri Fagu Chamar, Mining Sirdar, to work with effect from the 2nd December, 1.65, was justified? If not, to what relief is the workman entitled?

No. 2/40/66-LRII.1

S.O. 1006.—Whereas the Central Government is of opinion that an Industrial dispute exists between the employers in relation to the Singareni Collieries Company, Limited, Kothagudium (Andhra Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, with Sri Mohammad Najmuddia, as the Presiding Officer, with Headquarters at Hyderabad, and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the demand of the Union for payment of wages at the rate of 1½ times of the normal wages to the clerks of the pay roll section of Head Office, Singareni Collieries Company Limited, Kothagudium, for work on play days at the pits, is justified? If so, from what date?

[No. 7/6/66-LRII.]

S.O. 1007.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jealgora Colliery of Messrs East Indian Coal Company, Post Office Jealgora, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the dismissal of Shri Hulas Pandey, Underground Trammer, with effect from the 26th May, 1965 and of Shri Sajivan, M.C. Loader, with effect from the 18th June, 1965, by the management of the Jealgora Colliery of Messrs East Indian Coal Company were justified If not, to what relief are the workmen entitled?

[No. 2/28/66-LRII.]

New Delhi, the 22nd March 1966

8.0. 1008.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Lodna Colliery of Messre Lodna Colliery Company (1920) Limited, Post Office Jharia, District Dhanbad, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the dismissal of Shri Diba Mahato, Sand Loader-cum-Mazdoor by the management of the Lodna Colliery of Messrs Lodna Colliery Company (1920) Limited with effect from the 26th October, 1965 was justified? If not, to what relief is the workman entitled?

[No. 2/38/66-LRII.]

S.O. 1009.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Pure Kustore Colliery of Messrs Pure Kustore Collieries Company Limited, Post Office Kusunda, District Dhanbad, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the stoppage of work of the following wagon loaders by the management of the Pure Kustore Colliery of Messrs Pure Kustore Collieries Company Limited with effect from the 4th May, 1964, was justified? If not, to what relief are these workmen entitled?

- (1) Shri Basudeo Bhar,
- (2) Shri Rajdeo Bhar,
- (3) Shri Molai Koiri,
- (4) Shri Bilash Kahar,
- (5) Shri Chandra Kahar.
- (6) Shri Sunai Kahar,
- (7) Shri Prem Bhar.
- (8) Shri Nichru Bhar,
- (9) Shri Sibkalu Bhar,
- (10) Shri Pujan Yadav, and
- (11) Shri Sidhesar Bhar.

[No. 2/34/66-LRIL]

S.O. 1010.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Saltore Colliery of Messrs Bird and Company Limited, Post Office Sijua, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the termination of services of Sarvashri Bideshi Dusad and Huro Dusad and Sarvasrimati Radhia Dusadhin and Shiba Kaharin, Wagon Loaders by the management of Saltore Colliery is justified? If not, to what relief are they entitled?

[No. 6/25/66-LRIL]

S.O. 1011.—Whereas the Contral Government is of opinion that an industrial dispute exists between the employers in relation to Tirodi Manganese Mines of Messrs C. P. Syndicate (Private) Limited, Nagpur and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (c) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Labour Court, Jabalpur, constituted under section 7 of the said Act.

SCHEDULE

- Whether the employers in relation to the Tirodi Manganese Mine in the district of Balaghat, Madhya Pradesh of Messrs C.P. Syndicate (Private) Limited, Nagpur are justified in dismissing Shri Abdul Gaffar, Peon and Cash Carrier with effect from the 1st May, 1963?
- 2. If not, to what relief is the workman entitled?

[No. 35/5/66-LRL]

New Delhi, the 24th March 1966

S.O. 1012.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Noagown Iron Mine of Messrs K. C. Thapper and Brothers (Private) Limited, P.O. Barbil, District Keonjhar, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under Section 7A of the said Act.

SCHEDULE

- Whether the termination of services with effect from the 17th May 1965
 of Shri Bholanath Sahay, Supervisor, by the employers in relation to
 Noagown I on Mine of Messrs K. C. Thapper and Brothers (Private)
 Limited during his probationery period was justified?
- 2. If not, to what relief is the workman entitled?

[No. 24/37/65/LRL]

H. C. MANGHANI, Under Secy.

(Department of Labour & Employment)

New Delhi, the 22nd March 1966

8.0. 1013.—In pursuance of paragraph 23 of the Coal Mines Provident Fund Scheme published with the notification of the Government of India in the late. Ministry of Labour No. PF. 15(5)/48, dated the 11th December, 1948, the Central Government hereby appoints Shri P. D. Gaiha as the Coal Mines Provident Fund Commissioner, Dhanbad, with effect from the 24th March, 1966, vice Shri P. Chandra, granted leave.

[No. 6(123)/66-PF-I.]

New Delhi, the 23rd March 1968

S.O. 1014.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints S/Shri B. Lyall and Banarsi Das to be Inspectors for the whole of the State of Punjab and the Union ter itory of Himschal Pradesh for the purposes of the said Act or of any Scheme framed thereunder, in relation to any establishment belonging to or under the control of the Central Government, or in relation to any establishment connected with a railway company, a mine or an oil-field or a controlled industry.

INo. 20(64)/64-PF-I.]

S.O. 1015.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri K. N. Shukla to be an Inspector for the whole of the State of Uttar Pradesh for the purposed of the said Act or of any Scheme framed thereunder, in relation to any establishment belonging to, or under the central of the Central Government, or in relation to any establishment connected with a railway company or a controlled industry.

[No. 20(69)/64-PF-I.]

S.O. 1916.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri K. Vasudevan to be an Inspector for the whole of the State of Kerala for the purposes of the said Act or of any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of, the Central Government or in relation to any establishment connected with a railway company, a mine or an oilfield, or a controlled industry.

[No. 20(76)/64-PF-I.]

DALJ!T SINGH, Under Secy.

[Office of the Calef Lawne Commissioner (Central)]

ORDERS

New Delhi, the 24th March 1966

S.O. 1017.—Whereas an application has been made by the State Bank of India, Central Office Post Box No. 12 Bombay car ying on operation concerning a banking Company, for extension of the pariod specified in clause (b) of section 19 of the Payment of Bonus Act, 1965 (No. 21 of 1965), for the payment of bonus to the employees of the said establishment, for the accounting year ended on the 31st December, 1964;

And whereas Chief Labour Commissioner is satisfied that there are sufficient reasons so to do;

Now, therefore, in exercise of the powers conferred by the proviso to clause (b) of section 19 of the said Act, read with the notification of the Government of India in the Ministry of Labour and Employment No. WB-20(42)/65 dated the 28th August, 1965 I, Teja Singh Sahni, Chief Labour Commissioner hereby extend the period within which the said bonus shall be paid by the establishment to 12 (twelve) months from the close of the accounting year ended on the 31st December, 1964.

[No. BO-25(3)/4/65.]

S.O. 1018.—Whereas an application has been made by the Salem Bank Ltd., Post. Box No. 163 Salem-1, carrying on operation concerning a banking Company for extension of the period specified in clause (b) of section 19 of the Payment of Bonus Act, 1965 (No. 21 of 1965), for the payment of bonus to the employees of the said establishment, for the accounting year ended on the 31st December, 1964;

And whereas Chief Labour Commissioner is satisfied that there are sufficient reasons so to do;

Now, therefore, in exercise of the powers conferred by the provise to clause (b) of section 19 of the said Act, read with the notification of the Government of India in the Ministry of Labour and Employment No. WB-20(42)/65 dated the 28th August, 1965, I, Teja Singh Sahni. Chief Labour Commissioner hereby extend the period within which the said bonus shall be paid by the establishment by 29th December, 1965, for the accounting year ended on the 31st December, 1964.

[No. BO-25(3)/4/65.]

TEJA SINGH SAHNI, Chief Labour Commissioner (Central).

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 21st March 1966

S.O. 1019.—In exercise of the powers conferred by Sub-Section (i) of Section (6) of the Administration of the Evacuee Property Act, 1950, (XXXI of 1950), the Central Government hereby appoints Shri U. S. Gill, Managing Officer, in the office of Regional Settlement Commissioner, Juliundur, as Assistant Custodian for the State of Punjab for the purpose of discharging the duties assigned to the Custodian of Evacuee Property by or under the said Act with immediate effect.

[No. F. 7(42)ARG/60.]

S.O. 1020.—In exercise of the powers conferred by Sub-Section (i) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the State of Madhya Pradesh, Shri J. N. Vall, Settlement Officer in the office of the Regional Settlement Commissioner, Rajasthan and Madhya Pradesh Regions as Deputy Custodian for Madhya Pradesh Region for the purpose of discharging the duties imposed on Custodian by or under the said Act with immediate effect.

[No. 6(14)/ARG/62.]

A. G. VASWANI,

Settlement Commissioner (A) & Ex-Officio Under Secy.